



9200/3679

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Boyle, et al. Attorney Docket: 60.1336
Serial No.: 09/881,333 Art Unit: 3627
Date Filed: 6/14/2001 Examiner: Hewitt, James M.
Invention: Low-Loss Inductive Couplers for use in Wired Pipe Strings

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper, along with any other papers referred to as being attached or enclosed, is being deposited on the date shown below with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Mail Stop Petition, Alexandria, VA 22313-1450.

May 16, 2003

Susan Filleul

PETITION TO OBTAIN WITHDRAWAL OF HOLDING OF ABANDONMENT

Under 37 CFR 1.181 and 37 CFR 1.8(b)

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Dear Sir:

NOTE: 37 C.F.R. § 1.8(b) "Certificate of Mailing or Transmission" states:

(b) In the event that correspondence is considered timely filed by being mailed . . . in accordance with paragraph (a) of this section, but not received in the Patent and Trademark Office, and the application is held to be abandoned or the proceeding is dismissed, terminated, or decided with prejudice, the correspondence will be considered timely if the party who forwarded such correspondence:

(1) Informs the Office of the previous mailing . . . of the correspondence promptly after becoming aware that the Office has no evidence of receipt of the correspondence;

(2) Supplies an additional copy of the previously mailed . . . correspondence and certificate; and

(3) Includes a statement which attests on a personal knowledge basis or to the satisfaction of the Commissioner to the previous timely mailing. . . .

(c) The Office may require additional evidence to determine if the correspondence was timely filed.

REQUEST

1. Applicant requests that the abandonment in this case be withdrawn.

PROMPTNESS OF THIS SUBMISSION

This information is being submitted promptly after applicant has learned of the abandonment on the basis of the Notice of Abandonment mailed by the PTO on May 2, 2003, and after becoming aware that the Office has no evidence of receipt of the Response to Restriction Requirement.

SUBMISSION

- 2a. Submitted herewith is a copy of the "Response to Restriction Requirement" mailed on October 16, 2002, showing a Certificate of Mailing executed on October 16, 2002, (and stamped "DUPLICATE"); and a copy of the return post card identifying the papers filed and showing the U.S. PTO receipt stamp dated October 21, 2002.

NOTE: "A post card receipt which itemizes and properly identifies the papers which are being filed serves as prima facie evidence of receipt in the PTO of all the items listed thereon on the date stamped thereon by the PTO." § 504, M.P. E.P., 7th Edition.

2b. Also submitted herewith is a copy of papers sent via facsimile to Examiner Hewitt on May 7, 2003. These papers include a copy of the "Response to Restriction Requirement", mailed on October 16, 2002, showing a Certificate of Mailing executed on October 16, 2002, (and stamped "DUPLICATE #2"); and a copy of the Auto-Reply Facsimile Transmission identifying the papers filed and showing the U.S. PTO receipt date of 02/28/03.

STATEMENT

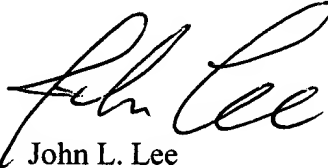
3. Attached hereto is a statement attesting to the timely transmission of the correspondence referred to above, based on the showing transmitted May 7, 2003, via facsimile. This showing is believed to be satisfactory to the Commissioner based on telephone interview with Examiner Hewitt on May 12, 2003. Please note that on page 1 of the Response, the word "Draft" was inadvertently left on the document that was signed and filed on October 16, 2002.

4. Please proceed with further examination of this application on the basis of the enclosed copy, (stamped "DUPLICATE #2"), of the papers originally filed. On the enclosed copy (stamped "DUPLICATE #2") the notation "DRAFT" is deleted from page 1 by strike-out in red.

REQUEST FOR WITHDRAWAL OF ABANDONMENT

5. Acknowledgement of the active status of this application is respectfully requested.

Respectfully submitted,



John L. Lee

Registration No. 33,942

Customer No. 27071

MAILING ADDRESS

Lee Patent Services
48 Summer Street
Stoneham, MA 02180-1925
781-438-8112

Petition-re-Abandonment-1410-113



1410/113 (B)
60.1336

DUPLICATE #2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Boyle, et al. Attorney Docket: 60.1336
Serial No.: 09/881,333 Art Unit: 3627
Date Filed: 6/14/2001 Examiner: Hewitt, James M.
Invention: Low-Loss Inductive Couplers for use in Wired Pipe Strings

Assistant Commissioner for Patents
Washington, DC 20231

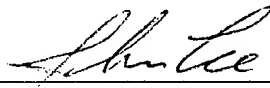
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CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper, along with any other papers referred to as being attached or enclosed, is being deposited on the date shown below with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231.



John L. Lee

October 16, 2002

DOCKETED
10/16/02

~~DRAFT~~

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In the Office communication issued 9/16/2002, the Examiner requires the applicant to elect a single disclosed species for prosecution under 35 U.S.C. 121, as follows.

The Examiner states (in part):

This application contains claims directed to the following patentably distinct species of the claimed invention:

Species I: figures 1-8;

Species II: figures 9-13;

Species III: figure 14;

Species IV: figure 15;

Species V: figures 16-18;

Species VI: as described on page 16 of the specification.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Applicants Election and Proposed Alternative Species

Applicant elects Species 1: figures 1-8, with traverse. The claims that read on "Species 1: figures 1-8", are claims 1-10.

Applicant notes that the Office communication fails to provide "particular reasons relied on by the examiner for holding that the inventions as claimed are independent or distinct" (required by MPEP 816). Thus the Examiner's restriction requirement is incomplete. However, the applicant agrees that the application may be considered to have two species as follows:

Species I: figures 1-8, corresponding to claims 1-10; and

Species II: figures 9-18; and the "fifth embodiment" from page 16 of the specification, corresponding to claims 11-32.


Applicant notes that claims 1-10 are all directed to flux-loop embodiments, and claims 11-32 are all directed to current-loop embodiments. Accordingly, applicant accepts restriction of the present application to the flux-loop embodiments (Species I), but does not accept the division of the current-loop embodiments into the Examiner's Species II, III, IV, V, and VI.

For failure to provide the "particular reasons relied on by the examiner" required by MPEP 816, applicant respectfully requests that the division of current-loop embodiments into Species II, III, IV, V, and VI be withdrawn

SUMMARY

It is believed that the application is now in condition for prosecution directed to claims 1-10. Consideration of the application and issuance of a notice of allowance is respectfully requested. It is believed that no extension of time is required. If additional fees are required for the timely consideration of this application, please charge deposit account no. 120914.

Respectfully submitted,



John L. Lee

Registration No. 33,942

MAILING ADDRESS

Lee Patent Services
48 Summer Street
Stoneham, MA 02180-1925
781-438-8112

1410\113\Response-to-Restriction-60.1336

1410/113 (B)
60,1336

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PLEASE DATE STAMP AND RETURN

The Assistant Commissioner for Patents has received from
Lee Patent Services the following re:

Inventor(s): BOYLE, et al.

Our Docket: 60.1336

For: Low-Loss Inductive Couplers for use in
Wired Pipe Strings

Art Unit: 2627

Filed: June 14, 2001

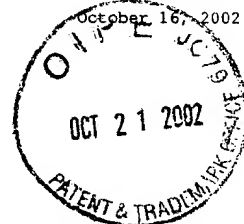
Examiner: Hewitt, James M.

Serial No. 09/881,333

Date: October 16, 2002

Documents:

(X) Response to Restriction Requirement (3 pages)



Postcard-2002-1016-1410-113-Resp-to-Restriction.doc

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John L. Lee, President
48 Summer Street
Stoneham, MA 02180-1925

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Tel: (781) 438-8112 Fax: (781) 438-8115

To: EXAMINER HEWITT FAX Number: 703-746-3661

From: JOHN L. LEE Date: May 7, 2003

Number of Pages including this cover:

7

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Boyle, et al.	Attorney Docket:	60.1336
Serial No.:	09/881,333	Art Unit:	3627
Date Filed:	6/14/2001	Examiner:	Hewitt, James M.
Invention:	Low-Loss Inductive Couplers for use in Wired Pipe Strings		

Assistant Commissioner for Patents
Washington, DC 20231

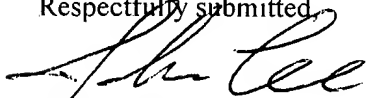
REQUEST FOR WITHDRAWAL OF ABANDONMENT WITH DUPLICATE COPY OF RESPONSE TIMELY FILED ON 10/16/02

Following the telephone conference with Examiner Hewitt today at 2:00pm, at Examiners request, here following is a copy of the 5-sheet FAX communication sent to the PTO on February 28, 2003, and a copy of the 1-sheet FAX confirming receipt by the PTO on 2/28/03.

It appears that the application went abandoned because, although the communications of October 16, 2002, and February 28, 2003, were received by the PTO, neither reached the Examiner.

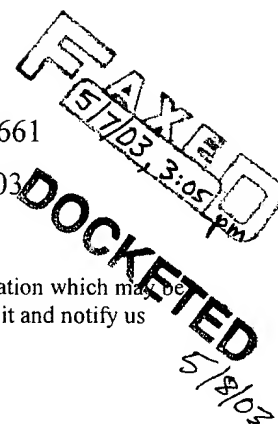
Applicants believe that the evidence provided herewith may be sufficient to obviate the need to file a petition, and respectfully request withdrawal of the holding of abandonment.

Respectfully submitted,


John L. Lee

Registration No. 33,942

FAX-EM-Hewitt-1401-113-2



1410/113 (B)



TELEFAX

Lee Patent Services

John L. Lee, President
48 Summer Street
Stoneham, MA 02180-1925

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Tel: (781) 438-8112 Fax: (781) 438-8115

To: EXAMINER VICTOR HEWITT FAX Number: 703-872-9326
From: JOHN L. LEE Date: February 28, 2003
Number of Pages including this cover: 5

FILED
2/28/03
146
JAN 1 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Boyle, et al.	Attorney Docket:	60.1336
Serial No.:	09/881,333	Art Unit:	3627
Date Filed:	6/14/2001	Examiner:	Hewitt, James M.
Invention:	Low-Loss Inductive Couplers for use in Wired Pipe Strings		

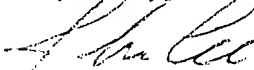
Assistant Commissioner for Patents
Washington, DC 20231

DUPLICATE COPY OF RESPONSE TO RESTRICTION REQUIREMENT
AS REQUESTED BY EXAMINER IN TELEPHONE CONFERENCE OF 2/28/03

Following is a duplicate copy of "Response to Restriction Requirement" that was filed October 16, 2002. Also following is a copy of the associated Return Postcard, date-stamped by the PTO as having been received October 21, 2002.

Please note that on page 1 of the Response, the word "Draft" was inadvertently left on the document that was signed and filed on October 16, 2002. Please disregard, and preferably strike out, the word "Draft".

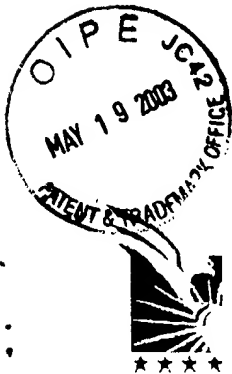
Respectfully submitted,


John L. Lee

Registration No. 33,942

FAX-EM-Hewitt-1401-113-1

TO: Auto-reply fax to 781 438 8115 COMPANY:



Auto-Reply Facsimile Transmission

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MAY 27 2003

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UNITED STATES
PATENT AND
TRADEMARK OFFICE

TO:

Fax Sender at 781 438 8115

Fax Information

Date Received:

2/28/03 1:47:07 PM [Eastern Standard Time]

Total Pages:

5 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page

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02/28/2003 13:48 781-438-8115

LEE PATENT SERVICES

PAGE 01

TELEFAX

Lee Patent Services

John L. Lee, President
48 Summer Street
Stonham, MA 02180-1925

Tel: (781) 438-8112 Fax: (781) 438-8115

To: EXAMINER VICTOR HEWITT FAX Number: 703-872-9326
From: JOHN L. LEE Date: February 28, 2003
Number of Pages including this cover: 5

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Respectfully submitted,

John L. Lee

Registration No. 33,942

FAX-EN-Hewitt-1401-113-1

Received from <781 438 8115> at 2/28/03 1:47:07 PM [Eastern Standard Time]